

NMA Presentation to the House Transportation Committee on March 9, 2011

Mr. Chairman and Members of the Committee, thank you for the opportunity for the National Motorists Association to discuss issues that are important to Michigan's seven million drivers. We want to give you some information about who we are and what we stand for, and discuss our positions on some issues you will face.

My name is Jim Walker. I joined the NMA in 1996, and I have studied the issues of traffic laws versus real traffic safety as a personal interest since the 1960s. I have testified many times in Lansing on bills that affect Michigan drivers. I am joined today by David Roberson, a long term member and former State Chapter Coordinator.

The NMA was founded in 1982 and was then called the Citizens Coalition for Rational Traffic Laws. That would still be a good name today, it is what we work for.

Our original goal in 1982 was to change the National Maximum Speed Limit (NMSL) which was then 55 mph, a limit that got virtually no compliance. We played a major part in getting the limit reset to 65 mph in 1987 and getting it repealed in 1995. The one-size-fits-all approach is almost never correct in setting speed limits.

Some of the NMA's main goals and principles today include:

1. Posting speed limits that maximize safety and smooth traffic flow, usually at the 85th percentile speed of free flowing traffic, or with the access point method.
Our views on this match those of the State Police Traffic Services Section.
2. Rebuilding respect for police officers and traffic laws in general by ending the use of police to collect revenue from safe drivers. Police officers are sworn to "Serve and Protect", but this becomes false when safe drivers are ticketed.
3. Legally prohibiting speed traps and other enforcement used for raising revenue.
We believe enforcement should be only for safety reasons.
4. Improving lane courtesy. Keep right except to pass needs more compliance.
5. Opposing speed or red light cameras because they are abused for revenue purposes.
Fortunately they are illegal in Michigan and they should stay that way.
6. Ending sanctions or suspensions of drivers licenses for reasons other than safety.
7. Ending the use of roadblocks to enforce traffic laws.
8. Eliminating differential speed limits for trucks which research shows have no safety value, or setting truck speed limits no lower than the 85th percentile speed of trucks under free flowing traffic conditions.

9. Having courts that fairly judge traffic offenses according to state laws. Many Michigan venues do not follow this principle, by ignoring PA85 for example.
10. Using fuel tax revenues and other road user fees to support ONLY roads.
11. Opposing most toll roads. We believe that the fuel tax system is not broken, but needs updating. Both federal and state fuel tax rates have not kept pace with inflation and need to be reset with automatic COLA formulas to stay realistic.
12. Requiring that any tolled facility needed for some special reason be individually authorized by the state legislature, as is now required under Michigan law.
13. Requiring any Public Private Partnership to be supported primarily by the private investors with little or no risk of public funds being used to cover any revenue shortfalls or cost overruns. For example, if the DRIC is to be built, we believe almost all the money should come from private investors and Canada, with clear language that taxpayer and other transportation funds cannot be used to support the project or make up for financial losses if they occur.

In summary, we believe that drivers operating safely should have a right to drive when and where they wish, free of harassment, penalties, or tracking of any kind.

And we believe that drivers should expect to pay a fair rate of fuel taxes and other reasonable vehicle user fees, which should be spent on building and maintaining the road systems that drivers use, and not diverted to any other purposes.

Specific issues and types of bills that we would support or oppose.

Driver Responsibility Act

In the previous legislative session, the House voted unanimously to repeal most of the Driver Responsibility Act. The DRA collects only about 50% of the surcharges assessed, but has been a disaster for hundreds of thousands of Michigan citizens. We believe it should be fully repealed. I personally testified for repeal of the DRA in four hearings, and not one single person spoke in favor of the law in any of the hearings.

The roughly 50% of unpaid fees were assessed to poor people who cannot pay and had licenses suspended for non-payment. Someone with a suspended license is also uninsured, creating safety and financial risks for everyone. We have an underground class of desperate Michigan citizens who must drive to support themselves and their families, whether legal or not, and whether safe or not. Two judges testified that this system creates a “debtor’s prison” and pleaded for repeal. The NMA agrees.

Suspending drivers licenses

There have been bills to suspend drivers licenses for as few as 3 parking tickets and we oppose this. The owner of the car may well not be the guilty party. The sanctions need to be against the car. Tow the car, boot it, or withhold renewal of the registration – but suspending the drivers license of the owner just adds to the huge number of unlicensed and therefore uninsured drivers which affects safety for all of us. The NMA believes the ONLY reason to suspend a drivers license is dangerous driving.

The DRA suspends thousands of licenses for non-payment of fees by people who are so poor they will never be able to pay. Some police officers now refuse to cite a driver when they know it will cause more DRA problems. Many judges refuse to take guilty pleas when they know the person will get more DRA fees they cannot pay. Being poor should not be a reason to have one's drivers license suspended.

Speed Limits and PA 85

The Michigan State Police supported the bill that became PA85 in 2006 and the NMA testified for the bill. Michigan must conform to the Manual of Uniform Traffic Control Devices. The most important word is *Uniform*. It is not logical, it is not fair, and most importantly it is not safe to have one city or county set posted speed limits based on 85th percentile speeds, but have the next city or county set them arbitrarily low, often below the 30th percentile so over 70% of all drivers are arbitrarily defined as violators. In one city, safely driving along with the normal flow of traffic is legal and in the next the exact same safe driving style is illegal. We believe this must stop.

Almost as soon as PA85 became effective, some forces have tried to chip away at its goals to improve safety, and permit some venues to post whatever arbitrarily low speed limits they want for any reasons. Fortunately, most of these efforts have failed, but they keep coming up. One bad idea that keeps coming up is to grandfather any arbitrarily low limits on unpaved roads that were in place before PA85 took effect.

Further improvements in PA85 are needed because many local venues will continue to defy state law until the Legislature forces them to put safety first with posted speed limits that match the actual safe speeds of traffic.

A great bill by then-Representative Rick Jones to virtually eliminate speed traps died in committee last session. It would help safety to reintroduce these improvements and make them law. Speed traps can only exist with unrealistic speed limits.

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Paying for our roads

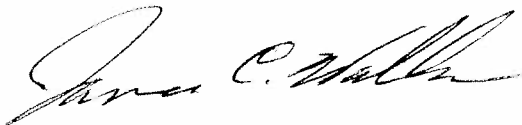
Michigan cannot collect enough fuel tax revenue to support our road systems because the federal and state fuel tax rates have been the same for over a decade, so the purchasing power has declined dramatically. The NMA has testified several times for these rates to be reset to reflect the reality of current costs and inflation.

There is pressure at both the federal and state levels to add more toll facilities and/or per-mile charges. We believe this is unnecessary. The infrastructure already exists for fuel taxes, they are collected at low cost, they are proportional to usage, and they do not violate the users' privacy by using a recorded GPS tracking system.

One last point on traffic safety. Contrary to what people hear from some sources, Michigan is a very safe place to drive, in part due to the enlightened engineering principles used by the State Police and MDOT. Our fatality rate of 0.86 fatalities per 100 million vehicle miles traveled is 26% better than the national average. Making all of our traffic laws and enforcement practices based on safety would help even more.

Thanks again for your time. We would be pleased to answer any questions you may have about our organization and our positions.

Sincerely,



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